



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

August 18, 2008

By Fax (212) 805-6737

The Honorable George B. Daniels
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

SO ORDERED

George B. Daniels
HON. GEORGE B. DANIELS

AUG 19 2008

Re: *United States v. David Wilkins, et al.*, S1 07 Cr. 566 (GBD)

Dear Judge Daniels:

At the last pretrial conference in this matter on June 10, 2008, the Government informed the Court that it anticipates that only three defendants – David Wilkins, Terrence McGee, and Jamar Jones – may proceed to trial in this case. Because those defendants requested additional time to consider plea offers, the Court scheduled an additional pretrial conference for August 20, 2008, at 9:45 a.m., and advised the parties that a trial date would be scheduled at the August 20 conference for any defendants who do not plead guilty by that date. In addition, two other defendants, James Gilliard and Shanta Brown, were excused from the June 10 conference because the Government was in the final stages of plea discussions with them and expected each of them to plead guilty and not proceed to trial. Since the June 10 conference, the Government has concluded plea discussions with David Wilkins and Terrence McGee. On July 10, 2008, David Wilkins pled guilty. Terrence McGee is expected to plead guilty pursuant to a plea agreement at 10:00 a.m. on August 20. The Government is finalizing plea discussions with James Gilliard and Shanta Brown and expects each to plead guilty and not proceed to trial. The Government therefore respectfully requests that the Court excuse those defendants from the conference on Wednesday. As a result, the only defendant who would be present is Jamar Jones, who is the only defendant who may proceed to trial. Defense counsel for James Gilliard consents to this request. After several attempts, the Government has not been able to reach counsel for Shanta Brown to determine whether he consents to this request.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By:

[Signature]
Joseph P. Facciponti/Avi Weitzman
Assistant United States Attorneys
212-637-2522/1205

cc: Defense Counsel (see attached list)

Counsel List	
<u>Counsel for Shanta Brown</u> Amelio P. Marino Marino & Veneziano 163 West 71st. Street New York, NY 10023 212 873 7297 Fax: 212-721-9060 Email: amelio@manhattanlaw.info	<u>Counsel for Jamar Jones</u> Irving Cohen 233 Broadway, suite 2701 New York, NY 10279 icohenlaw@msn.com W: 212-964-2544 C: 917-863-8191 F: 212-732-1339
<u>Counsel for James Gilliard</u> Martin J. Seigel 150 Broadway, Suite 1400 New York, NY 10038 mart2u@aol.com W: 212-349-9190 F: 212-349-1451	FOR MR. GEORGE B. DANIELS